



## Senate

General Assembly

**File No. 50**

January Session, 2013

Substitute Senate Bill No. 832

*Senate, March 18, 2013*

The Committee on Children reported through SEN. BARTOLOMEO of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING FAMILY ASSESSMENT CASES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 17a-101g of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2013*):

4 (g) (1) Notwithstanding the provisions of subsections (a) to (f),  
5 inclusive, of this section, the commissioner may establish a program of  
6 [differential] family assessment response to reports of child abuse and  
7 neglect whereby the report may be referred to appropriate community  
8 providers for family assessment and services without an investigation  
9 or at any time during an investigation, provided there has been an  
10 initial safety assessment of the circumstances of a family and child and  
11 criminal background checks have been performed on all adults  
12 involved in the report.

13 (2) The commissioner may adopt regulations in accordance with the

14 provisions of chapter 54 to establish a method for the department to  
15 monitor the progress of the child and family referred to a community  
16 provider pursuant to subdivision (1) of this subsection and to set  
17 standards for reopening an investigation pursuant to this section.

18 (3) Consistent with the provisions of section 17a-28, the department  
19 shall disclose all relevant information in its possession concerning the  
20 child and family, including prior child protection activity, to each  
21 provider to whom a report has been referred for use by the provider in  
22 the assessment, diagnosis and treatment of unique needs of the family  
23 and the prevention of future reports. Each provider who has received a  
24 report of child abuse or neglect referred pursuant to this subsection  
25 shall disclose to the department, consistent with the provisions of  
26 section 17a-28, all relevant information gathered during assessment,  
27 diagnosis and treatment of the child and family. The department may  
28 use such information solely to monitor and ensure the continued safety  
29 and well-being of the child or children.

30 Sec. 2. Subsection (h) of section 17a-101k of the general statutes is  
31 repealed and the following is substituted in lieu thereof (*Effective*  
32 *October 1, 2013*):

33 (h) Records containing unsubstantiated findings and records  
34 relating to family assessment cases shall remain sealed, except that  
35 such records shall be made available to department employees in the  
36 proper discharge of their duties and shall be expunged by the  
37 commissioner five years from the completion date of the investigation  
38 or the closure of the family assessment case if no further report is made  
39 about the individual subject to the investigation or the family subject to  
40 the assessment, except that if the department receives more than one  
41 report on an individual subject to investigation or a family subject to  
42 assessment and each report is unsubstantiated, all reports and  
43 information pertaining to the individual or family shall be expunged  
44 by the commissioner five years from the completion date of the most  
45 recent investigation.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2013	17a-101g(g)
Sec. 2	October 1, 2013	17a-101k(h)

***Statement of Legislative Commissioners:***

In section 2, "an individual or family subject to assessment" was changed to "an individual subject to investigation or a family subject to assessment" for consistency and clarity.

***KID***      *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

There is no fiscal impact to the Department of Children and Families associated with (1) technical changes to Sec. 17a-101g(g) and (2) allowing records relating to family assessment cases to remain sealed with certain exceptions.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****SB 832*****AN ACT CONCERNING FAMILY ASSESSMENT CASES.*****SUMMARY:**

This bill extends the expungement process for unsubstantiated cases of abuse and neglect to family assessment response cases. It requires the Department of Children and Families' (DCF) to seal family assessment case records, but it allows agency employees to access them to properly discharge their job duties. It requires the commissioner to destroy the case files five years after DCF completes its investigation if the department has not received another report of abuse or neglect involving the family. But if a family has more than one unsubstantiated report within this period, DCF must keep the records for five years from the date it completed the most recent investigation.

The bill also renames the DCF "differential response" program as the "family assessment response" program. Under this program, when DCF receives a report of child abuse and neglect and determines that the case presents a lower risk, it can make referrals to appropriate community providers for family assessment and services after taking certain steps.

EFFECTIVE DATE: October 1, 2013

**COMMITTEE ACTION**

Children Committee

Joint Favorable

Yea 12      Nay 0      (02/28/2013)